

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FORM PTO-1390 (Modified) (REV 11-2000)		ATTORNEY'S DOCKET NUMBER 215246US0PCT
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 09/926411
INTERNATIONAL APPLICATION NO. PCT/JP00/02756	INTERNATIONAL FILING DATE 26 April 2000	PRIORITY DATE CLAIMED 30 April 1999
TITLE OF INVENTION AGENT FOR TREATING DRY EYE		
APPLICANT(S) FOR DO/EO/US UENO Ruyji		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <p><input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <p><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> <p><input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</p> <p><input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</p>		
<p>Items 13 to 20 below concern document(s) or information included:</p> <p>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>15. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>17. <input type="checkbox"/> A substitute specification.</p> <p>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>22. <input type="checkbox"/> Certificate of Mailing by Express Mail</p> <p>23. <input checked="" type="checkbox"/> Other items or information:</p> <p>Request for Consideration of Documents Cited in International Search Report Request for Priority Under 35 U.S.C 119(e) PCT/IB/304 PCT/IB/308</p>		

U.S. APPLICATION NO. (IF KNOWN) SEE CFR 097926411	INTERNATIONAL APPLICATION NO. PCT/JP00/02756	ATTORNEY'S DOCKET NUMBER 215246US0PCT
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24. The following fees are submitted::

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO	\$1040.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO	\$890.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO	\$740.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)	\$710.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)	\$100.00

CALCULATIONS PTO USE ONLY

\$890.00

Surcharge of \$130.00 for furnishing the oath or declaration later than
months from the earliest claimed priority date (37 CFR 1.492 (e)). 20 30

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	7 - 20 =	0	x \$18.00	\$0.00
Independent claims	3 - 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00
				TOTAL OF ABOVE CALCULATIONS = \$890.00
<input type="checkbox"/> <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$0.00
				SUBTOTAL = \$890.00
<input type="checkbox"/> Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).			<input type="checkbox"/> 20 <input type="checkbox"/> 30 +	\$0.00
				TOTAL NATIONAL FEE = \$890.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input type="checkbox"/>	\$0.00
				TOTAL FEES ENCLOSED = \$890.00
				Amount to be: refunded \$ charged \$

a. A check in the amount of \$890.00 to cover the above fees is enclosed.

b. Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0030 A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Surinder Sachar
Registration No. 34,423



22850

SIGNATURE

Norman F. Oblon

NAME

24,618

REGISTRATION NUMBER

Oct. 29 2001

DATE

IN RE APPLICATION OF: UENO Ryuji

SERIAL NO.: New U.S. PCT Application (Based on PCT/JP00/02756)

FILED: HEREWITH

FOR: AGENT FOR TREATING DRY EYE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.

Additional documents filed herewith: PCT Transmittal Letter/Check for \$890.00
Request for Priority Under 35 U.S.C. 119(e)/Request for Consideration/PCT/IB/304/Declaration/PCT/IB/308
Preliminary Amendment/International Search Report/International Preliminary Examination Report

The fee has been calculated as shown below.

	(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY	OTHER THAN A SMALL ENTITY
	CLAIMS REMAINING AFTER		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
TOTAL	* 7	MINUS	** 20	= 0	X9 =	\$	X18 =	\$.00
INDEP	* 3	MINUS	*** 3	= 0	X40 =	\$	X80 =	\$.00
	<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+135=	\$	+270= \$
						TOTAL	\$	TOTAL \$.00

— A check in the amount of \$_____ is attached.

XX Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

XX If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Attorney of Record
Registration No. 24,618
Surinder Sachar
Registration No. 34,423



22850

(703) 413-3000

*If the entry in Column 2 is less than the entry in Column 1 write "0" in Column 3.

**If the "Highest Number Previously paid for" IN THIS SPACE is less than 20 write "20" in this space.

***If the "Highest Number Previously paid for" IN THIS SPACE is less than 3 write "3" in this space.

DOCKET NO.: 215246US0PCT

IN RE APPLICATION OF: UENO Ryuji

SERIAL NO.: New U.S. PCT Application (Based on PCT/JP00/02756)

FILED: HEREWITH

FOR: AGENT FOR TREATING DRY EYE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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Request for Priority Under 35 U.S.C. 119(e)/Request for Consideration/PCT/IB/304/Declaration/PCT/IB/308
Preliminary Amendment/International Search Report/International Preliminary Examination Report

The fee has been calculated as shown below.

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
TOTAL	* 7	MINUS	** 20	= 0	X9 =	\$	X18 =	\$.00	
INDEP	* 3	MINUS	*** 3	= 0	X40 =	\$	X80 =	\$.00	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+135=	\$	+270=	\$	
					TOTAL	\$	TOTAL	\$.00	

— A check in the amount of \$_____ is attached.

Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.



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OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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*If the entry in Column 2 is less than the entry in Column 1 write "0" in Column 3.

**If the "Highest Number Previously paid for" IN THIS SPACE is less than 20 write "20" in this space.

***If the "Highest Number Previously paid for" IN THIS SPACE is less than 3 write "3" in this space.

DOCKET NO.: 215246US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: UENO Ryuji

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/JP00/02756

INTERNATIONAL FILING DATE: April 26, 2000

FOR: USE OF MACROLIDE COMPOUNDS FOR THE TREATMENT OF DRY EYE

**REQUEST FOR CONSIDERATION OF DOCUMENTS
CITED IN INTERNATIONAL SEARCH REPORT**

Assistant Commissioner for Patents

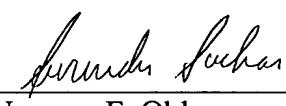
Washington, D.C. 20231

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618
Surinder Sachar
Registration No. 34,423



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(703) 413-3000
Fax No. (703) 413-2220
(OSMMN 1/97)

09/926411

DOCKET NO.: 215246US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: UENO Ryuji

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/JP00/02756

INTERNATIONAL FILING DATE: April 26, 2000

FOR: AGENT FOR TREATING DRY EYE

REQUEST FOR PRIORITY UNDER 35 U.S.C. 119(e)
AND THE INTERNATIONAL CONVENTIONAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the matter of the above-identified application for patent, notice is hereby given that the applicant claims as priority:

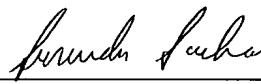
<u>COUNTRY</u>	<u>APPLICATION NO</u>	<u>DAY/MONTH/YEAR</u>
United States of America	60/132,009	30 April 1999

Certified copies of the corresponding Convention application(s) were submitted to the International Bureau in PCT Application No. PCT/JP00/02756. Receipt of the certified copy(s) by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.

Respectfully submitted,
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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(703) 413-3000
Fax No. (703) 413-2220
(OSMMN 1/97)

Norman F. Oblon
Attorney of Record
Registration No. 24,618
Surinder Sachar
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